

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS

TYLER DIVISION

JOHN E. CHOICE

§

v.

§

CIVIL ACTION NO. 6:10cv325

PATH, ET AL.

§

ORDER ADOPTING REPORT AND
RECOMMENDATION OF UNITED STATES
MAGISTRATE JUDGE

The Report and Recommendation of the Magistrate Judge, which contains her findings, conclusions, and recommendation for the disposition of this case has been presented for consideration. The Report and Recommendation recommends that the complaint be dismissed without prejudice for failure to prosecute. No written objections have been filed. The Court therefore adopts the findings and conclusions of the Magistrate Judge as those of the Court.

In light of the foregoing, it is

ORDERED that the complaint is **DISMISSED** without prejudice for failure to prosecute.
Fed.R.Civ.P. 41(b).

Any motion not previously ruled on is **DENIED**.

SIGNED this 14th day of September, 2010.



MICHAEL H. SCHNEIDER
UNITED STATES DISTRICT JUDGE